IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 30TH JANUARY 2007 / 10TH MAGHA 1928

Bail Appl..No. 451 of 2007()

CRIME NO.451/06 OF CHERTHALA POLICE STATION

: PETITIONER

SHABU, S/O.LALITHA PRASAD,
NILAYUMKATTU HOUSE, PATTSSERY BHAGAM.

BY ADV. SRI.G.JANARDANA KURUP (SR.)
SRI.B.VINOD
SRI.E.C.BINEESH

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 451 OF 2007 B

Dated this the 30th day of January, 2007

O R D E R

Petitioner, who is the 2nd accused in Crime No.451/2006 of Cherthala Police Station for offences punishable under Sections 143, 147, 148, 294(b), 323, 324 and 308 read with section 149 I.P.C., seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application submitting that eventhough no overt acts are alleged against the petitioner, the petitioner and the rest of the accused have other criminal back grounds.

3. The occurrence took place on 26.10.2006. De facto complainant has not sustained any grievous injuries.

4. In the facts and circumstances of the case, I am inclined to direct the petitioner to surrender before the Investigating Officer and thereafter to have his bail application allowed by the Magistrate having jurisdiction. Accordingly, the petitioner is directed to surrender before the Investigating Officer on any day between 01/02/2007 and 03/02/2007 for the purpose of custodial interrogation. After interrogation, the petitioner shall be produced before the Magistrate,

who is having jurisdiction, on the same day. The Magistrate, on being satisfied that the petitioner has been interrogated by the Investigating Officer, shall release the petitioner on bail in the event of application for regular bail is filed by the petitioner before the Magistrate.

This petition is disposed of as above.

(V. RAMKUMAR, JUDGE)

aks